

## MINUTES OF THE STANDING COMMITTEE ON INSURANCE

Thursday, December 6, 2007

10:30 A.M

Room 519 House Office Building

**Chairman Virgil Smith** called the meeting to order.

**MEMBERS PRESENT:** Reps. Virgil Smith, Farrah, Condino, Constan, Johnson, Lemmons, Polidori, Scott, Simpson, Wojno, Hune, Emmons, Hildenbrand, Moore, Rocca. (15/17)

**MEMBERS ABSENT/EXCUSED:** Reps David Law, Gaffney (2/17)

**Representative Farrah** moved to adopt the minutes of the November 8, 2007 meeting. There being no objections, the minutes were approved.

**Representative Emmons** moved to excuse absent members. There being no objections, absent members were excused.

**Chairman Virgil Smith** laid **HB 4675, HB 4676, HB 4677** and **HB 4678** before the committee.

HB 4675 Sak Insurance; no-fault; Michigan catastrophic claims association; require to comply with freedom of information act and open meetings act.

HB 4676 Sak Civil rights; open meetings; catastrophic claims association; make subject to open meetings act.

HB 4677 Gonzales Insurance; no-fault; annual audit of Michigan catastrophic claims association; require.

HB 4678 LeBlanc Insurance; no-fault; membership on Michigan catastrophic claims association board; increase.

**Representatives Sak, Gonzales and LeBlanc** testified before the committee on the package of bills.

**Pete Kuhnmuench**, representing the Insurance Institute of Michigan, testified before the committee in opposition to **HB 4675, HB 4676, HB 4677** and **HB 4678**.

**Gloria Freeland**, representing the Michigan Catastrophic Claims Association, testified before the committee with a neutral position on **HB 4675, HB 4676, HB 4677** and **HB 4678**.

**Brian Sydnor**, representing the Michigan Office of Financial and Insurance Services, testified before the committee in support of **HB 4675**, **HB 4676**, **HB 4677** and **HB 4678**.

The following people turned in testimony cards in support of **HB 4675**, **HB 4676**, **HB 4677** and **HB 4678** but did not wish to speak:

**Kevin McKinney**, representing the Coalition Protecting Auto No-Fault.  
**Linda Teeter**, representing Michigan Citizen Action.  
**Mark Burton**, representing the Michigan Association for Justice.  
**Todd Tennis**, representing the Negligence Law Section, State Bar of Michigan.  
**Bill Kandler**, representing the Michigan Orthopaedic Society.  
**Nadine Nosal**, representing the International Union, UAW.

The following people turned in testimony cards in opposition to **HB 4675**, **HB 4676**, **HB 4677** and **HB 4678** but did not wish to speak:

**George Carr**, representing the Property Casualty Insurance Association of America.  
**Rob Anderson**, representing Farm Bureau.  
**Stuart Birn**, representing Auto-Owners and the Michigan Insurance Coalition.  
**Teri Morante**, representing Citizens Insurance and the Michigan Insurance Coalition.  
**Carol Hutchinson**, representing Farmers Insurance.

**Scott Hummel**, representing the Michigan Association of Insurance Agents, turned in a testimony card with a neutral position on **HB 4678** but did not wish to speak.

**Representative Condino** moved to adopt the **(H-1) substitute** to **HB 4675**.

**FAVORABLE ROLL CALL:**

**YEAS:** Reps. Virgil Smith, Farrah, Condino, Constan, Johnson, Polidori, Scott, Simpson, Wojno. (9/17)  
**NAYS:** Reps. Hune, Hildenbrand. (2/17)  
**PASS:** Reps. Emmons, Moore, Rocca. (3/17)

A sufficient number of members voting in the affirmative, the motion prevailed.

**Representative Condino** moved to report **HB 4675** as an **(H-1) substitute**, with recommendation.

**FAVORABLE ROLL CALL:**

**YEAS:** Reps. Virgil Smith, Farrah, Condino, Constan, Johnson, Lemmons, Polidori, Scott, Simpson, Wojno, Moore, Rocca. (12/17)  
**NAYS:** Reps. Hune, Hildenbrand. (2/17)  
**PASS:** Rep. Emmons. (1/17)

A sufficient number of members voting in the affirmative, the motion prevailed.

**Representative Condino** moved to adopt the **(H-1) substitute** to **HB 4676**.

**FAVORABLE ROLL CALL:**

**YEAS:** Reps. Virgil Smith, Farrah, Condino, Constan, Johnson, Lemmons, Polidori, Scott, Simpson, Wojno. (10/17)

**NAYS:** Reps. Hune, Hildenbrand. (2/17)

**PASS:** Reps. Emmons, Moore, Rocca. (3/17)

A sufficient number of members voting in the affirmative, the motion prevailed.

**Representative Simpson** moved to report **HB 4676** as an **(H-1) substitute**, with recommendation.

**FAVORABLE ROLL CALL:**

**YEAS:** Reps. Virgil Smith, Farrah, Condino, Constan, Johnson, Lemmons, Polidori, Scott, Simpson, Wojno, Moore, Rocca. (12/17)

**NAYS:** Reps. Hune, Hildenbrand. (2/17)

**PASS:** Rep. Emmons. (1/17)

A sufficient number of members voting in the affirmative, the motion prevailed.

**Representative Johnson** moved to adopt the **(H-1) substitute** to **HB 4677**.

**FAVORABLE ROLL CALL:**

**YEAS:** Reps. Virgil Smith, Farrah, Condino, Constan, Johnson, Lemmons, Polidori, Scott, Simpson, Wojno. (10/17)

**NAYS:** Reps. Hune, Hildenbrand. (2/17)

**PASS:** Reps. Emmons, Moore, Rocca. (3/17)

A sufficient number of members voting in the affirmative, the motion prevailed.

**Representative Constan** moved to report **HB 4677** as an **(H-1) substitute**, with recommendation.

**FAVORABLE ROLL CALL:**

**YEAS:** Reps. Virgil Smith, Farrah, Condino, Constan, Johnson, Lemmons, Polidori, Scott, Simpson, Wojno, Moore, Rocca. (12/17)

**NAYS:** Reps. Hune, Hildenbrand. (2/17)

**PASS:** Rep. Emmons. (1/17)

A sufficient number of members voting in the affirmative, the motion prevailed.

**Representative Polidori** moved to report **HB 4678** with recommendation.

**FAVORABLE ROLL CALL:**

**YEAS:** Reps. Virgil Smith, Farrah, Condino, Constan, Johnson, Lemmons, Polidori, Scott, Simpson, Wojno. (10/17)

**NAYS:** Reps. Hune, Hildenbrand, Moore, Rocca. (4/17)

**PASS:** Rep. Emmons. (1/17)

A sufficient number of members voting in the affirmative, the motion prevailed.

There being no further business before the committee, **Chairman Virgil Smith** declared the meeting adjourned, the time being **12:00 p.m.**

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Representative Virgil Smith, Chair

Eric Esch, Committee Clerk (517) 373-0070